



**DEPARTMENT OF PUBLIC SAFETY
INTRA-DEPARTMENTAL CORRESPONDENCE**



DATE: SEPTEMBER 23, 2010

FROM: CHIEF FARON W. SEGOTTA *FS*
DPS DEPUTY SECRETARY - OPERATIONS

TO: ALL STATE POLICE COMMISSIONED PERSONNEL

**SUBJECT: DIRECTIVE 2010-05
INTOXILYZER 8000 BREATH TEST**

The purpose of this directive is to provide guidance to all commissioned personnel within DPS in the administering of chemical tests on individuals arrested for suspicion of driving under the influence of an intoxicating liquor and/or drug.

An individual suspected of driving under the influence of alcohol shall be tested on the Intoxilyzer 8000. A blood draw shall only be used as a substitute for the utilization of the Intoxilyzer 8000 in circumstances when a person suspected of driving under the influence is incapacitated, is believed to be under the influence of drugs, or when the Intoxilyzer 8000 is out of commission or unavailable. A blood draw shall not be used as a substitute to a breath test in order to avoid having to testify on how the breath test was administered.

This directive is intended to assist in the reduction of costs incurred by the administration of blood draws. It will also lessen the burden incurred by the District Attorney's office in having to subpoena Scientific Laboratory Personnel to testify at trials.

The Department of Public Safety is committed to apprehending persons suspected of driving under the influence of intoxicating liquor and/or drugs in an attempt to make our roads safer.

Your attention to this directive is expected and appreciated.

FWS:tav